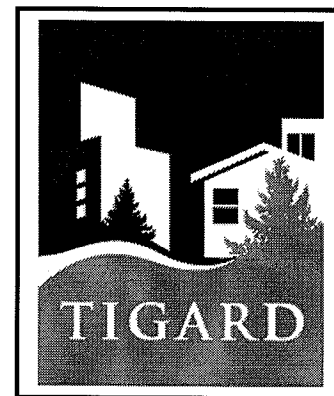


Study Session & Item 9 - Council Discussion on Action to Terminate the Urban Services Intergovernmental Agreement with Washington County

TIGARD CITY COUNCIL, LOCAL  
CONTRACT REVIEW BOARD & CITY  
CENTER DEVELOPMENT AGENCY  
MEETING

March 28, 2006 6:30 p.m.

TIGARD CITY HALL  
13125 SW HALL BLVD  
TIGARD, OR 97223



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A  
TIGARD CITY COUNCIL  
BUSINESS MEETING  
MARCH 28, 2006

6:30 PM

- STUDY SESSION

- > Police Holding Facility Tour and Audit
  - ◆ Police Staff
- > Review of Fiscal Year 2006-07 Community Event Funding Requests
  - ◆ Finance Staff
- > Regulation of Payday Lending Businesses
  - ◆ Finance Staff
- > Discuss Action to Terminate the Urban Services Intergovernmental Agreement with Washington County
  - ◆ Community Development Staff

- EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

- 1. BUSINESS MEETING

- 1.1 Call to Order - City Council, Local Contract Review Board, and City Center Development Agency
- 1.2 Roll Call
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports
- 1.5 Status Report on Community Attitude Survey – Community Development Staff
- 1.6 Call to Council and Staff for Non-Agenda Items

7:35 PM

2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)

- Tigard High School Student Envoy Krista Foltz
- Follow-up to Previous Citizen Communication

7:40 PM

3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

- 3.1 Approve Council Minutes for February 14 and 21, 2006
- 3.2 Approve City Center Development Agency Minutes for February 21, 2006
- 3.3 Appoint New Members to the Building Appeals Board: Michael Kringlen, Doug Colling, Jeff Jurens, Eric Watson, Gerald McKee, and Alan Mitchell – Resolution No. 06-\_\_\_\_
- 3.4 Approve Library Policies
- 3.5 Approve Submission of a Grant Application to Obtain Matching Funds to Construct the Jim Griffith Memorial Skate Park – Resolution No. 06-\_\_\_\_
- 3.6 Appoint Carol Krager as Deputy City Recorder – Resolution No. 06-\_\_\_\_
- 3.7 Local Contract Review Board
  - a. Award Contract to Morse Brothers, Inc., for the Construction of the Fiscal Year 2005-06 Pavement Major Maintenance Program (PMMP) – Phase 2
  - b. Award Contract to NW Kodiak Construction for the Construction of Highland Drive Storm Drainage Improvements
- Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.

7:45 PM

4. PUBLIC HEARING – 2006 US DEPARTMENT OF JUSTICE/EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)

- a. Open Public Hearing
- b. Declarations or Challenges
- c. Staff Report: Police Staff
- d. Public Testimony:
  - Proponents
  - Opponents
- e. Staff Recommendation
- f. Close Public Hearing
- g. Staff Recommendation

8:00 PM

5. FURTHER CONSIDERATION AND DELIBERATION OF A RESOLUTION ADOPTING ADDITIONAL FINDINGS AND IMPOSING AN ADDITIONAL CONDITION FOR THE LAND USE BOARD OF APPEALS (LUBA) REMAND OF ASH CREEK ESTATES SUBDIVISION (SUB2003-00010/ZON2003-00003/PDR2003-00004/SLR2003-00005/VAR2003-0036/VAR2003-0037)

The State Land Use Board of Appeals (LUBA) has remanded for a second time the City Council's approval of a 29-lot Planned Development Subdivision on 9.3 acres and associated Zone Change, Sensitive Lands, and Adjustment reviews to address a single issue relating to tree preservation. As limited by LUBA, the issue remanded is whether the tree plan preserves trees to the greatest extent possible, given that the second tree plan does not protect 23 trees designated for protection in the original tree plan, but not designated for protection in the revised tree plan previously approved. On this second remand, the applicant has submitted a second revised tree plan that amends the first revised tree plan by designating for protection the 23 trees specifically mentioned by LUBA. A full copy of LUBA's Final Opinion and Order can be obtained from City Hall at cost, or is also available online at <http://luba.state.or.us/pdf/2005/sept05/05042.htm>. **LOCATION:** 9750 SW 74<sup>th</sup> Avenue; WCTM 1S125DC, Tax Lots 300 and 400. **ZONE:** R-4.5: Low-Density Residential District. The R-4.5 zoning district is designed to accommodate detached single-family homes with or without accessory residential units at a minimum lot size of 7,500 square feet. Duplexes and attached single-family units are permitted conditionally. Some civic and institutional uses are also permitted conditionally. **APPLICABLE REVIEW CRITERIA:** The only applicable criterion on the issue on which LUBA remanded is CDC 18.350.100.B.3.a.1, which requires that planned developments protect existing trees to the greatest degree possible.

At its February 28, 2006 meeting the City Council approved Resolution No. 06-09 approving the Ash Creek Estates Subdivision. At that meeting, the council requested the City Attorney's office prepare a supplemental resolution and findings to respond to oral and written comments at the public hearing.

- a. Procedural Status: City Attorney
- b. Staff Report: Community Development Staff and City Attorney
- c. Staff Recommendation
- d. Council Discussion
- e. Council Consideration: Resolution No. 06-\_\_\_\_\_

8:15 PM

6. FORMATION OF SANITARY SEWER REIMBURSEMENT DISTRICT NO. 36 (SW 93<sup>RD</sup> AVENUE)
- a. Open Public Hearing
  - b. Declarations or Challenges
  - c. Staff Report: Engineering Staff
  - d. Public Testimony
  - e. Staff Recommendation
  - f. Council Discussion
  - g. Close Public Hearing
  - h. Council Consideration: Resolution No. 06-\_\_\_\_\_

8:25 PM

7. EXPRESS SUPPORT TO INCLUDE CERTAIN KEY PROJECTS IN THE 2008-2011 STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)
  - a. Staff Report: Engineering Staff
  - b. Council Discussion
  - c. Council Consideration: Resolution No. 06-\_\_\_\_\_

8:35 PM

8. PRESENTATION ON THE CITY'S PARTICIPATION IN THE HEALTHY STREAMS PLAN
  - a. Staff Report: Public Works Staff

8:55 PM

9. CONSIDER ACTION TO TERMINATE THE URBAN SERVICES INTERGOVERNMENTAL AGREEMENT WITH WASHINGTON COUNTY
  - a. Staff Report: Community Development Staff

10. COUNCIL LIAISON REPORTS

11. NON AGENDA ITEMS

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9:45 PM

13. ADJOURNMENT

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